

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PERCY ST. GEORGE	:	CIVIL ACTION
	:	
v.	:	
	:	
THE DISTRICT ATTORNEY OF	:	
THE COUNTY OF PHILADELPHIA, <i>et al.</i>	:	NO. 00-1716

ORDER

AND NOW, this 2nd day of August, 2012, upon consideration of Percy St. George's Petition for a Writ of Habeas Corpus (Document No. 89), the transcript of the hearing held on November 17, 2011, all related submissions, and for the reasons stated in the accompanying memorandum opinion, it is **ORDERED** as follows:

1. The petition for a writ of habeas corpus is **CONDITIONALLY GRANTED**;
2. Petitioner's October 22, 1997 convictions in the Philadelphia County Court of Common Pleas at case number CP 9704-0523 shall be **VACATED** and set aside and the petitioner shall be released from custody **UNLESS** within thirty (30) days after the date of this order, the Commonwealth of Pennsylvania reinstates petitioner's direct appeal rights *nunc pro tunc* for consideration on the merits consistent with the memorandum opinion; and
3. A certificate of appealability **SHALL ISSUE** with respect to petitioner's claim that he is entitled to excuse of the exhaustion requirement due to inordinate delay in the state courts.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.